

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN**

---

DIONNE MCKINNIE,

Plaintiff,

v.

Case No. 07-CV-774

JP MORGAN CHASE BANK N.A.,

Defendant.

---

**ORDER**

On February 20, 2008, the parties filed a joint motion for an interim stay of further proceedings in this case. In support of their motion, the parties represent that the appeal of a nearly identical class action lawsuit filed by the same counsel representing the plaintiff in this case is currently pending before the United States Court of Appeals for the Seventh Circuit. *See Paradise v. JPMorgan Chase Bank, N.A.*, Appeal No. 07-3027 (7th Cir. Oct. 12, 2007). The parties suggest that the outcome of the *Paradise* appeal could have an impact on the viability of class certification in this later-filed case. The parties, therefore, jointly request that the court enter an order staying this case.

The court has inherent power to stay these proceedings, and may control the disposition of causes on its docket with economy of time and effort for itself, for counsel, and for litigants. *Landis v. N. Am. Co.*, 299 U.S. 248, 254 (1936); *Texas Indep. Producers & Royalty Owners Ass'n v. EPA*, 410 F.3d 964, 980 (7th Cir. 2005). Because the outcome of the *Paradise* appeal may resolve issues in this case, the court concludes that the imposition of a stay is appropriate. Accordingly, pursuant to the parties' joint motion to stay, the court will stay all further proceedings in this case.

In accordance with the parties' motion, either party can file a motion to lift the stay no less than thirty days after providing notice to the opposing party of its desire to lift the stay. (Mot. to Stay ¶ 7.) If the plaintiff petitions to lift the stay, the defendant will have the right to oppose the petition and to pursue its position that this action should be permanently stayed until the *Paradise* appeal is fully resolved. (*Id.*) If the court lifts the stay at some later date, the defendant will be afforded 30 days from the date of entry of an order lifting the stay to answer or otherwise plead in response to the complaint. (*Id.*) Finally, the court will administratively close this case for statistical purposes, but will retain jurisdiction to address any further issues that may arise in this case.

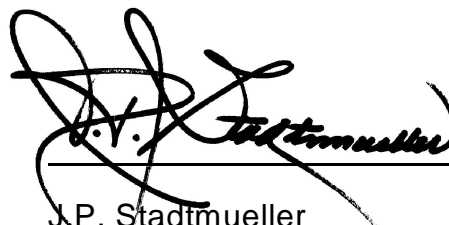
Accordingly,

**IT IS ORDERED** that the parties' motion to stay all further proceedings in this case (Docket # 7) be and the same is hereby **GRANTED**. All proceedings in this case are **STAYED** as set forth above.

**IT IS FURTHER ORDERED** that this case be and the same is hereby **CLOSED** for administrative purposes.

Dated at Milwaukee, Wisconsin, this 21st day of February, 2008.

BY THE COURT:

A handwritten signature in black ink, appearing to read "J.P. Stadtmueller", is written over a horizontal line.

J.P. Stadtmueller  
U.S. District Judge